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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,392	08/16/2001	Bryan K. Hicks	14591.10	1575

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EXAMINER

HO, THOMAS Y

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 09/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/931,392

Applicant(s)

HICKS ET AL.

Examiner

Thomas Y Ho

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: .

DETAILED ACTION

Claim Objections

Claim 15 is objected to because of the following informalities: there is recitation of the phrase “wherein wherein” and one should be eliminated from the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 6-10, and 13-14 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. The DURAFLEX® 2000 brochure, National Molding Corporation (Pg.32, January 1999) discloses a “MOD-U-LOX® KEY RING AND BADGE HOLDING SYSTEM” anticipates Applicant’s invention more than a year before the effective filing date of the instant application.

As to claim 1, DURAFLEX® discloses a lanyard connector comprising:

- A lanyard connector body 7365, 7400 that is configured to be coupled to the ends of a lanyard substrate.
- A coupling portion extending from the lanyard connector body 7365, 7400 to thereby allow selective attachment of an attachment 7387 to the lanyard connector.

Art Unit: 3677

- The lanyard connector body comprises:
 1. A first portion 7400 that is configured to be coupled to the ends of the lanyard substrate
 2. A second portion 7365 that is selectively coupled to the first portion, such that a user can:
 - a) Selectively attach an attachment 7387 to the coupling.
 - b) Selectively attach the first portion of the connector body 7400 to the second portion of the connector body 7365.

As to claim 2, DURAFLEX® comprises a lanyard connector wherein:

- The first 7400 and second portions 7365 of the lanyard connector body are each plastic members.

As to claim 6, DURAFLEX® discloses a lanyard connector wherein:

- The coupling portion is configured to receive an attachment 7387 rotatably coupled to the coupling portion.

As to claim 7, DURAFLEX® discloses a lanyard connector wherein:

- The first 7400 and second 7365 portions are configured to be nonrotatably coupled to each other, such that the attachment 7387 rotates about the coupling portion while the connector body 7365, 7400 is firmly, nonrotatably secured to the lanyard substrate.

As to claim 8, DURAFLEX® discloses a lanyard connector wherein:

- The lanyard connector body 7365, 7400 receives the ends of the lanyard substrate therein.

Art Unit: 3677

As to claim 9, DURAFLEX® discloses a lanyard connector wherein:

- The coupling portion comprises a neck upon which an attachment 7387 is selectively mounted. The lower tip of second portion 7365 is a “neck” region that selectively and rotatably receives an attachment 7327, 7387, 7386, 7363.

As to claim 10, DURAFLEX® discloses a lanyard connector comprising:

- A lanyard connector body 7365, 7400 that is configured to be coupled to the ends of a lanyard substrate therein.
- A neck extending from the lanyard connector body 7365, 7400 to thereby allow selective, rotatable attachment of an attachment 7387 to the lanyard connector 7365, 7400. The lower tip of second portion 7365 is a “neck” region that selectively and rotatably receives an attachment 7327, 7387, 7386, 7363.
- Wherein an attachment 7387 is selectively, rotatably mounted onto the neck. The lower tip of second portion 7365 is a “neck” region that selectively and rotatably receives an attachment 7327, 7387, 7386, 7363.
- Wherein the lanyard connector body 7365, 7400 comprises:
 1. A first portion 7400 that is configured to be coupled to the ends of the lanyard substrate therein.
 2. A second portion 7365 that is selectively coupled to the first portion, such that a user can:
 - a) Selectively, rotatably mount an attachment 7387 onto the neck. The lower tip of second portion 7365 is a “neck” region that selectively and rotatably receives an attachment 7327, 7387, 7386, 7363.

Art Unit: 3677

- b) Selectively attach the second portion of the connector body 7365 to the first portion 7400.

As to claim 13, DURAFLEX® discloses a lanyard connector wherein:

- The male portion 7400 comprises first and second prongs that selectively mount within the female portion 7365.

As to claim 14, DURAFLEX® discloses a lanyard connector wherein the lanyard connector body 7365, 7400 comprises:

- A male clamping portion.
- A female clamping portion.
- The male clamping portion selectively mounting within the female clamping portion to clamp the first and second ends of the lanyard substrate therebetween.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5, 11-12, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over DURAFLEX® 2000 brochure, National Molding Corporation (Pg.32, January 1999) in view of Huckenbeck USPN5740952.

As to claim 3, DURAFLEX® discloses a lanyard connector wherein:

- The first portion 7400 of the lanyard connector body comprises a male portion.

Art Unit: 3677

- The second portion 7365 comprises a female portion that is selectively mounted with the male portion.

DURAFLEX® fails to disclose or suggest:

- Reversal of male/female (first portion female, second portion male) on the lanyard connector body.

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

As to claim 4, DURAFLEX® discloses a lanyard connector wherein:

- The coupling portion of the lanyard connector body 7365, 7400 is coupled to the female portion 7365 of the lanyard connector body 7365, 7400.

DURAFLEX® fails to disclose or suggest:

- The coupling portion of the lanyard connector body is coupled to the male portion of the lanyard connector body (reversal of male/female on the lanyard connector body).

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

As to claim 5, DURAFLEX® discloses a lanyard connector wherein:

- The first portion 7400 of the lanyard connector body comprises a male buckle portion.
- The second portion 7365 comprises a female buckle portion that is selectively mounted with the male portion.

Art Unit: 3677

DURAFLEX® fails to disclose or suggest:

- Reversal of male/female (first portion female, second portion male) on the lanyard connector body.

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

As to claim 11, DURAFLEX® discloses a lanyard connector wherein:

- The first portion 7400 of the lanyard connector body comprises a male portion.
- The second portion 7365 comprises a female portion that is selectively mounted with the male portion.

Art Unit: 3677

DURAFLEX® fails to disclose or suggest:

- Reversal of male/female (first portion female, second portion male) on the lanyard connector body.

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

As to claim 12, DURAFLEX® discloses a lanyard connector wherein:

- The female portion 7365 includes the neck thereon. The lower tip of second portion 7365 is a “neck” region that selectively and rotatably receives an attachment 7327, 7387, 7386, 7363.

DURAFLEX® fails to disclose or suggest:

- The male portion includes the neck thereon.

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

As to claim 15, DURAFLEX® discloses a lanyard connector wherein the lanyard connector body 7365, 7400 comprises:

- A female buckle portion 7365.
- A male buckle portion 7400.
- The female buckle portion 7365 including the neck thereon. The lower tip of second portion 7365 is a “neck” region that selectively and rotatably receives an attachment 7327, 7387, 7386, 7363.

Art Unit: 3677

- The male buckle portion 7400 being selectively mounted within the female buckle portion 7365 such that a user can:
 - a) Selectively, rotatably attach an attachment 7387 to the neck.
 - b) Selectively attach the male buckle portion 7400 to the female buckle portion 7365.

DURAFLEX® fails to disclose or suggest:

- The male buckle portion including the neck thereon (reversal of male/female on the lanyard connector body).

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

Art Unit: 3677

As to claim 16, DURAFLEX® discloses a lanyard connector wherein the male buckle portion 7400 has:

- A male clamping portion.
- A female clamping portion.

DURAFLEX® fails to disclose or suggest:

- The female buckle portion comprises clamping portions (reversal of male/female on the lanyard connector body).

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

As to claim 17, DURAFLEX® discloses a lanyard connector wherein the male buckle portion 7400 has:

- A male clamping portion.
- A female clamping portion.
- The male clamping portion selectively mounting within the female clamping portion to clamp the first and second ends of the lanyard substrate therebetween.

DURAFLEX® fails to disclose or suggest:

- The female buckle portion comprises clamping portions (reversal of male/female on the lanyard connector body).

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

Art Unit: 3677

As to claim 18, DURAFLEX® discloses a lanyard connector comprising:

- A lanyard substrate having first and second ends.
- A lanyard connector body 7365, 7400 comprising:
 - A female buckle portion 7365.
 - A male buckle portion 7400.
 - A neck extending from the lanyard connector body 7365, 7400 to thereby allow selective, rotatable attachment of a variety of different attachments 7327, 7387, 7386, 7363 to the lanyard connector. The lower tip of second portion 7365 is a “neck” region that selectively and rotatably receives an attachment 7327, 7387, 7386, 7363.
- Wherein the male buckle portion 7400 is selectively mounted within the female buckle portion 7365, such that a user can:
 - a) Selectively, rotatably attach an attachment 7387 to the neck.
 - b) Selectively attach the male buckle portion 7400 to the female buckle portion 7365.
 - c) Wherein the male buckle portion 7365 comprises:
 - 1) A male clamping portion.
 - 2) A female clamping portion.
 - 3) The male clamping portion selectively mounting within the female clamping portion with the first and second ends of the lanyards substrate therebetween.

DURAFLEX® fails to disclose or suggest:

- The female buckle portion comprises clamping portions (reversal of male/female on the lanyard connector body).

Huckenbeck discloses a connector and also discloses that it is foreseen and obvious that male and female portions of a connector can be reversed (col.6, ln.1-4). Furthermore, Applicant recites (pg.8, [036]) that “The first portion may be a female or male portion, while the second portion may be corresponding male or female portion...” therein further supporting the obviousness of reversal of male/female components, and that the specific male/female relationship between the first/second portions is of no significance in regards to Patentability. In addition, the reversal of components in a prior art reference, where there is no disclosed significance to such reversal, is a design consideration within the skill of the art. In re Gazda, 219 F.2d 449, 104 USPQ 400 (CCPA 1955); In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lanyard connector disclosed by DURAFLEX® to reverse male/female components, as taught by Huckenbeck, because it is a design consideration within the skill of the art.

As to claim 19, DURAFLEX® discloses a lanyard connector wherein:

- The male 7400 and female 7365 body portions of the lanyard connector are each made from a plastic material.

As to claim 20, DURAFLEX® discloses a lanyard connector wherein:

- The male portion 7400 comprises first and second prongs that selectively mount within the female portion 7365.

Art Unit: 3677

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN6226844 to Lerra discloses a buckle with reversible male/female relationship.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y. Ho whose email address is thomas.ho@uspto.gov and telephone number is (703) 305-4556. The examiner can normally be reached on M-F 9:30AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-3366.

TYH
September 16, 2002


J. J. SWANN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600